

# **Working at the Federal Trade Commission**

**1999 - 2000**



Federal Trade Commission, Washington, D.C.

“There is something very satisfying in advancing the public interest through government service. And interpreting and enforcing antitrust and consumer protection laws — in a time of vast technological change and in the face of globalization of competition — is as challenging today as any time in recent history.”

— *Robert Pitofsky, Chairman  
Federal Trade Commission*

The Federal Trade Commission is committed to making equality of opportunity a reality. Therefore, members of minority groups, women and disabled individuals are strongly urged to apply.

# FEDERAL TRADE COMMISSION

The Federal Trade Commission is a law enforcement agency charged by Congress with protecting the public against anticompetitive behavior and deceptive and unfair practices. When the FTC was created in 1914, its purpose was to prevent unfair methods of competition in commerce, as part of the antitrust battle to “bust the trusts.” In 1938, Congress gave the Commission additional power to protect consumers by prohibiting unfair and deceptive acts.

The Commission’s objective is to best serve the interests of all consumers. Its goal is to ensure that the marketplace is as competitive as possible so consumers receive the widest variety of goods and services at the most competitive price. The Commission tries to focus on areas that most affect the consumer’s pocketbook. Its mandate is to root out unfair advantages sellers may have in the marketplace, so informed consumers — acting on their own — can protect themselves.

The FTC is an independent agency, answerable to Congress, for its actions, and through Congress to the American public. The Commission is headed by five commissioners, nominated by the President and confirmed by the Senate; each serves a seven-year term. The President chooses one commissioner as chairman who serves at the President’s pleasure. A former chairman



may continue as a commissioner for the balance of his or her term.

The headquarters office in Washington, D.C. consists of the Bureaus of Competition, Consumer Protection and Economics, as well as the Offices of Congressional Relations, the Executive Director, General Counsel, Secretary and Public Affairs.

Regional offices are located in Atlanta, Cleveland, Chicago, Dallas, Los Angeles, New York, San Francisco and Seattle. They recommend cases and litigate before administrative law judges and in federal and district courts, provide local outreach services to consumers and business persons and coordinate activities with local, state and regional authorities.



# BUREAU OF COMPETITION

The Bureau of Competition, the FTC's antitrust arm, is responsible for investigating and prosecuting "unfair methods of competition." With the Justice Department, it shares responsibility to enforce the Sherman and Clayton Antitrust Acts. This authority is used to stop actions that "lessen competition and tend to create a monopoly," including price-fixing, other types of collusion between "competitors," or coercion, such as boycotts by competitors.

Various Congressional statutes give the Commission specific administrative and review functions. For example, under the Hart-Scott-Rodino Antitrust Improvement Act, the FTC and the Justice Department have the opportunity to examine certain large mergers and acquisitions that may present antitrust concerns.

The antitrust laws can be enforced by the FTC, the Justice Department and private parties. There are two major differences between the FTC and Justice Department enforcement:

- The FTC can seek only civil remedies including cease-and-desist orders, injunctions and fines (civil penalties); the Justice Department can bring both criminal and civil charges.
- The FTC has its own administrative hearing procedure, and files suit in federal court only when necessary to





obtain temporary orders barring likely violations of the antitrust laws or to compel compliance with a previous Commission order. The Justice Department always files suit in federal court.

Through the work of the Bureau, the Commission seeks to limit restraints on free and vigorous competition to ensure that consumers have access to adequate sources of goods and services at reasonable, competitive prices. The Commission's enforcement of federal antitrust law and encouragement of deregulation efforts help in lowering costs and prices, lessening inflation, promoting innovation and ensuring that small businesses can thrive, along with larger corporations, in a competitive marketplace.

## **Bureau of Competition**

### **Attorney Recruitment**

The Bureau of Competition is recruiting talented and dedicated law students with an exceptional level of commitment to the public interest, business and competition to join its enforcement team. Attorneys work in a fast-paced environment to investigate mergers and trade practices and challenge those that it believes would cause consumer injury and threaten a free-market economy. The Bureau expects to hire second-year law students for positions as summer interns and graduates as entry-level attorneys.

- Apply by sending your resume, transcript and writing sample to:

Director, Attorney Recruitment  
Federal Trade Commission  
Human Resources Management  
Room H-148  
600 Pennsylvania Ave., N.W.  
Washington, D.C. 20580

- Interviews will take place between September and November 1999. Offers will be mailed starting December 1999. Law school graduates are hired as Law Clerks for up to 14 months, pending admission to the bar. Upon bar admission, their title is changed to Attorney. New hires with a JD will be paid \$40,714 (GS-11) a year. Those with an additional advanced degree in a relevant field, or one year as a judicial law clerk, will be paid \$48,796 (GS-12) a year.
- Second-year students are hired as summer interns and will be paid from \$13.18 to \$16.12 an hour (GS-7 to GS-9).





# BUREAU OF CONSUMER PROTECTION

**F**inanced a car? Applied for a credit card? Shopped online? You're more familiar with the work of the FTC than you may think.



The Federal Trade Commission's Bureau of Consumer Protection protects consumers against unfair, deceptive or fraudulent practices. The Bureau enforces a variety of consumer protection laws enacted by Congress and trade regulation rules issued by the Commission. Activities include individual company and industry-wide investigations, administrative and federal court litigation, rulemaking proceedings and consumer and business education.



Each of the Bureau's five divisions has its own areas of expertise. Summer law interns are assigned to one division for their 10-week experience and work with attorneys in conducting investigations, assisting with ongoing litigation, interviewing potential witnesses, performing legal research and drafting legal memoranda. In addition, interns may participate in two skills-building workshops — a mock motion exercise and a mock deposition exercise.



## BCP's Divisions

The **Division of Advertising Practices** protects consumers from deceptive and unsubstantiated national advertising. Its activities focus on tobacco and alcohol



advertising; advertising claims for food, over-the-counter drugs and dietary supplements; advertising and marketing directed to children; monitoring infomercials, home shopping and other forms of advertising; and encouraging the media to establish self-regulatory procedures to prevent deceptive advertising before it appears. This Division's work presents novel constitutional issues balancing the First Amendment rights of advertisers and the Commission's mandate to protect consumers from deceptive practices.



The **Division of Enforcement** monitors compliance with cease and desist orders issued by the Commission. If a company's ads violate the law a second time, the Division files an action in federal court to obtain civil penalties (for FTC administrative orders) or for civil or criminal contempt (for district court orders). The Division conducts reviews to determine the economic impact of rules and guides and the necessity of regulations, and enforces a number of laws and trade regulation rules that consumers benefit from every day. For example, the Used Car Rule requires dealers to post "Buyer's Guides" on each car; the Mail Order Rule requires companies to promptly ship merchandise ordered through the mail or over the telephone; and the Care Labeling Rule requires manufacturers to give accurate care instructions in clothing.




The **Division of Financial Practices** enforces the Equal Credit Opportunity Act, which ensures that consumers are extended credit without regard to race, sex, marital status, age, religion or national origin; the Truth in Lending Act, which requires

accurate disclosures of interest rates; and the Fair Credit Billing and Electronic Fund Transfer Acts, which establish procedures for resolving mistakes on credit cards, debit card and other EFT accounts. The Division also enforces the Fair Debt Collection Practices Act, which outlaws deceptive or abusive practices in the collection of debts; the Fair Credit Reporting Act, which gives consumers the right to know what information credit bureaus report about them and the right to dispute inaccurate information. In the last few years, the Division has launched initiatives to fight deception in car leasing ads and combat home equity fraud against low-income consumers. Its staff is at the center of policy discussions about the privacy of personal information, especially on the Internet, and electronic transactions.

The **Division of Marketing Practices** leads the FTC's response to fraud, whether it is packaged as high-tech Internet and telecommunications scams, or old-fashioned telemarketing fraud, direct mail fraud or fraudulent investment opportunities. Through a new Internet lab, Division attorneys and investigators are unraveling sophisticated "technology fraud," finding wrong-doers who are deceiving unsuspecting consumers. Division attorneys file actions in federal district court to freeze the assets of scam artists and to try to return their ill-gotten money to consumers. The Division also is responsible for issuing and enforcing the Commission's regulations governing telemarketing sales, franchises and business opportunities, funeral goods and services, pay-per-call services and other telephone-billed purchases.





The **Division of Planning and Information** collects and analyzes data to target law enforcement and education efforts and coordinates the international work of the Bureau. The Division manages Consumer Sentinel, a binational, multi-state consumer fraud database that uses the Internet to provide secure access to almost 200,000 consumer complaints for law enforcement organizations across the US and Canada. Recent FTC investigations involved Canadian telemarketing scams targeting U.S. victims, Mexican Web sites making deceptive health claims, and the recovery from Antigua of millions of dollars bilked from victims of a pyramid scheme. The Division deals with legal questions about jurisdiction and choice of law and forum, and questions about the extent to which protections available in the traditional marketplace are — or should be — available in the e-marketplace.

1-877-FTC-HELP



## **Bureau of Consumer Protection**

### **Summer Law Intern Recruitment**

The Bureau of Consumer Protection is accepting applications for full-time summer positions from highly motivated law students interested in protecting the public from false advertising, deceptive trade practices and fraud. The Bureau will hire a mix of first- and second-year law students for these positions, which require a 10-week commitment beginning around May 24, 2000.

- Second-year law students should apply by submitting a *cover letter* and *resume* to the address below by November 1, 1999. Second-year law interns will be compensated at a rate equivalent to an annual salary of \$33,650.
- First-year law students should apply by submitting a *cover letter* and *resume* to the address below between December 1, 1999 and February 15, 2000. First-year law clerks will be compensated at a rate equivalent to an annual salary of \$27,508.
- Send applications to:

BCP Summer Law Intern Recruiting Coordinator  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W., Room H-292  
Washington, D.C. 20580  
**Attn:** Gwendolyn L. Jones-Thompson

Second-year students also may apply for summer internships with the Bureau of Consumer Protection at:

- National Black Law Students Association 1999 Midwest Regional Recruitment Conference: Cleveland, September 30, 1999.
- Hispanic National Bar Association Law Student Job Fair: Dallas, October 16, 1999.
- National Association of Public Interest Law (NAPIL) Career Fair: Washington, D.C., October 29-30, 1999.
- Careers in Government/Public Interest Law: Boston, November 4-5, 1999.

First-year law students may apply for summer clerkships at the following:

- Public Interest Career Day (at UCLA School of Law): Los Angeles, January 2000 (Date TBA).
- Public Interest/Government Interview Program (participating schools include George Washington University Law School and Georgetown University Law Center): Washington, D.C., February 2000 (Date TBA).
- Public Interest/Public Service Legal Career Symposium (Public Interest Law Center, New York University School of Law): New York, February 17-18, 2000.
- Commonwealth Law School Consortium Job Fair: Williamsburg, VA, March 2000 (Date TBA).



# OFFICE OF THE GENERAL COUNSEL

**T**he General Counsel is the Commission's chief legal officer and adviser. Litigators from this office defend actions seeking judicial review of Commission orders and rules, handle the appellate phase of suits brought by the Commission for preliminary and permanent injunctive relief, and assist the Bureaus in actions for injunctive relief in district court. The office also advises and assists on other litigation activities, including coordination with the Department of Justice, discovery matters and the preparation of *amicus curiae* briefs authorized by the Commission.

The Office of the General Counsel provides legal advice to the Commission on a wide range of procedural, substantive and policy issues, such as agency jurisdiction, statutory authority, administrative procedure, ethics, personnel and employment law, and other matters as needed. The office also assists with communications with Congress, and analyzes proposed legislation affecting the agency and drafts or reviews Commission comments to the Office of Management and Budget or the Congress on such legislation. In addition, the office handles a number of matters related to confidentiality and access to information, including administration of the Freedom of Information Act, Privacy Act and the Government in the Sunshine Act.

## VOLUNTARY LEGAL ASSISTANCE POLICY

When workloads permit and in the absence of conflicts of interest with government service, Federal Trade Commission attorneys are encouraged to provide voluntary legal assistance to the poor and others, *pro bono publico* (i.e., for the public good). Such assistance generally involves rendering legal services to individuals and nonprofit organizations that provide *pro bono* legal services, such as local legal aid societies, community organizations, bar association committees and similar entities that handle specific cases or provide continuing legal services.

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For the Consumer



**[www.ftc.gov](http://www.ftc.gov)**